



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

February 21, 2021

**BY ECF**

**MEMO ENDORSED**

The Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Carlos Javier-Valez*, 19 Cr. 891 (KPF)**

Dear Judge Failla:


A status conference in the above-captioned matter is scheduled for March 4, 2021. The Government and defense counsel have been engaged in ongoing substantive discussions regarding, and are in the process of finalizing, a possible pretrial resolution. While the parties had hoped to complete these discussions in advance of the forthcoming conference, the parties respectfully request that the Court adjourn the conference for a period of approximately 45 days to complete these discussions. The parties do not intend to request any further adjournments.

In the event that the Court grants the requested adjournment, the Government respectfully requests that the Court exclude time under the Speedy Trial Act, from March 4, 2021 to the date that the conference is rescheduled to permit the parties to continue negotiations regarding possible pretrial disposition. The Government submits that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

I have communicated with defense counsel, who has consented to the above requests.

Respectfully submitted,

AUDREY STRAUSS  
United States Attorney

By:   
Brett M. Kalikow  
Assistant United States Attorney  
(212) 637-2220

cc: Lawrence Fisher, Esq. (via ECF)

Application GRANTED. The Conference scheduled for March 4, 2021, is hereby ADJOURNED to April 22, 2021, at 2:00 p.m. in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York. It is further ORDERED that time is excluded under the Speedy Trial Act between March 4, 2021, and April 22, 2021. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the Defendant in a speedy trial because it will permit the Government and Defendant to continue to discuss a possible pretrial disposition.

Dated: February 26, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE